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March 27, 2023

Via ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Honorable Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street, Room 6B
New York, NY 10007

Re: **Northwest Biotherapeutics Inc. v. Canaccord, et al., No. 1:22-cv-10185**

Dear Judge Woods and Magistrate Judge Gorenstein:

We write on behalf of Plaintiff Northwest Biotherapeutics Inc. (“NWBO”). Pursuant to this Court’s Individual Rules of Practice in Civil Cases, Rule 3.D, Plaintiff hereby notifies the Court that it intends to exercise its right to amend its complaint in response to Defendants’ motions to dismiss filed on March 20, 2023 (ECF 85-91). Accordingly, Plaintiff hereby withdraws its initial complaint and will file its amended complaint by April 10, 2023.

Rule 3.D provides that defendants must file an answer or a new motion to dismiss within 21 days of the amended complaint. Plaintiff proposed to Defendants the following briefing schedule, which would allow Defendants a longer period after the amended complaint to file its motion(s) to dismiss, with opposition and reply papers due at the same time intervals and with the same page limits for all papers as the parties previously agreed and the court so ordered with regard to Defendants’ motions to dismiss the initial complaint (see ECF 83).

- Defendants’ motion(s) to dismiss the Amended Complaint to be due June 10, 2023;
- Plaintiff’s opposition(s) to be due July 26, 2023; and
- Defendants’ reply to be due August 26, 2023.

In response to this proposal, Defendants informed Plaintiff that “Defendants will be in a position to respond to Plaintiff’s proposal regarding the briefing schedule and page limits after [they] have had an opportunity to review the amended complaint.”

Respectfully submitted,

By: /s/ Laura H. Posner

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cc: Counsel of record (via ECF)